

Application No. 09/061,441
Response dated January 31, 2005
Reply to Office Action of 12/29/2004

PATENT APPLICATION
(Attorney Docket No. 38292R1)

VIA FACSIMILE TRANSMISSION - Official
To Fax Number: 703-872-9306
January 31, 2005

RECEIVED
CENTRAL FAX CENTER

JAN 31 2005

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

In re application of: Leo J. Wilz
Application No: 09/061,441
Filed: April 16, 1998

Examiner: Nghi H. Ly
Art Unit: 2686

Title: "RECEIVER SENSITIVITY FOR TRANSCEIVER HAVING
DIVERSITY ARCHITECTURE"

Commissioner for Patents
Arlington, VA 22313

AMENDMENT AND RESPONSE TO OFFICIAL ACTION

With regard to the Official Action dated 12/29/2004, Applicant, seeking to place the application in the condition for allowance, hereby submits the following amendments and remarks.

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that, on the date shown below, this AMENDMENT AND RESPONSE TO OFFICIAL ACTION, consisting of thirteen pages, and an enclosed Fee Transmittal form, are being sent by facsimile transmission to the Patent and Trademark Office at fax number 703-872-9306 for filing in U.S. Patent Application No. 09/061,441.

Jan. 31, 2005,
a Monday


John H. Sherman, Reg. 16,909

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0891-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 50)**Complete if Known**

Application Number	09/081,441
Filing Date	04/16/1988
First Named Inventor	Leo John Wilz
Examiner Name	Nghi H. Ly
Art Unit	2686
Attorney Docket No.	38292R1

RECEIVED
CENTRAL FAX CENTER**JAN 31 2005**

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																															
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 14-1190 Deposit Account Name: Norand Corporation The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		3. ADDITIONAL FEES Large Entity - Small Entity <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>85</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,620</td><td>1812</td><td>2,620</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920</td><td>1804</td><td>920</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840</td><td>1805</td><td>1,840</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1433</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or release)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1480</td><td>130</td><td>1480</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1607</td><td>50</td><td>1607</td><td>50</td><td>Processing fee under 37 CFR 1.17(g)</td><td></td></tr> <tr><td>1808</td><td>180</td><td>1808</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.128(b))</td><td></td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>800</td><td>1802</td><td>800</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	1051	130	2051	85	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,620	1812	2,620	For filing a request for ex parte reexamination		1804	920	1804	920	Requesting publication of SIR prior to Examiner action		1805	1,840	1805	1,840	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2,010	2255	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1433	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or release)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1480	130	1480	130	Petitions to the Commissioner		1607	50	1607	50	Processing fee under 37 CFR 1.17(g)		1808	180	1808	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR 1.128(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	800	1802	800	Request for expedited examination of a design application	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																												
1051	130	2051	85	Surcharge - late filing fee or oath																																																																																																																																																																													
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																													
1053	130	1053	130	Non-English specification																																																																																																																																																																													
1812	2,620	1812	2,620	For filing a request for ex parte reexamination																																																																																																																																																																													
1804	920	1804	920	Requesting publication of SIR prior to Examiner action																																																																																																																																																																													
1805	1,840	1805	1,840	Requesting publication of SIR after Examiner action																																																																																																																																																																													
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																													
1252	420	2252	210	Extension for reply within second month																																																																																																																																																																													
1253	950	2253	475	Extension for reply within third month																																																																																																																																																																													
1254	1,480	2254	740	Extension for reply within fourth month																																																																																																																																																																													
1255	2,010	2255	1,005	Extension for reply within fifth month																																																																																																																																																																													
1401	330	2401	165	Notice of Appeal																																																																																																																																																																													
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																													
1433	290	2403	145	Request for oral hearing																																																																																																																																																																													
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																													
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																													
1453	1,330	2453	665	Petition to revive - unintentional																																																																																																																																																																													
1501	1,330	2501	665	Utility issue fee (or release)																																																																																																																																																																													
1502	480	2502	240	Design issue fee																																																																																																																																																																													
1503	640	2503	320	Plant issue fee																																																																																																																																																																													
1480	130	1480	130	Petitions to the Commissioner																																																																																																																																																																													
1607	50	1607	50	Processing fee under 37 CFR 1.17(g)																																																																																																																																																																													
1808	180	1808	180	Submission of Information Disclosure Stmt																																																																																																																																																																													
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																													
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																													
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.128(b))																																																																																																																																																																													
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																																													
1802	800	1802	800	Request for expedited examination of a design application																																																																																																																																																																													
1. BASIC FILING FEE <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td><td></td></tr> <tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>180</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr> </tbody> </table> SUBTOTAL (1) (\$)		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1001	770	2001	385	Utility filing fee		1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	180	2005	80	Provisional filing fee		2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>22</td><td>-20** = one</td><td>X</td><td>50</td></tr> <tr><td></td><td>-3** =</td><td>X</td><td></td></tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>88</td><td>2201</td><td>43</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>290</td><td>2203</td><td>145</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204</td><td>88</td><td>2204</td><td>43</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> </tbody> </table> SUBTOTAL (2) (\$ 50)		Total Claims	Extra Claims	Fee from below	Fee Paid	22	-20** = one	X	50		-3** =	X		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1202	18	2202	9	Claims in excess of 20		1201	88	2201	43	Independent claims in excess of 3		1203	290	2203	145	Multiple dependent claim, if not paid		1204	88	2204	43	** Reissue independent claims over original patent		1205	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																															
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																																																																														
1001	770	2001	385	Utility filing fee																																																																																																																																																																													
1002	340	2002	170	Design filing fee																																																																																																																																																																													
1003	530	2003	265	Plant filing fee																																																																																																																																																																													
1004	770	2004	385	Reissue filing fee																																																																																																																																																																													
1005	180	2005	80	Provisional filing fee																																																																																																																																																																													
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																														
22	-20** = one	X	50																																																																																																																																																																														
	-3** =	X																																																																																																																																																																															
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																																																																														
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																													
1201	88	2201	43	Independent claims in excess of 3																																																																																																																																																																													
1203	290	2203	145	Multiple dependent claim, if not paid																																																																																																																																																																													
1204	88	2204	43	** Reissue independent claims over original patent																																																																																																																																																																													
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																													
**or number previously paid, if greater; For Reissues, see above		Other fee (specify): *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)																																																																																																																																																																															

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	John H. Sherman	Registration No. (Attorney/Agent)	16,909
Signature	<i>John H. Sherman</i>	Telephone	319-369-3661
		Date	January 31, 2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.